

Hearing Date: December 19, 2017 at 10:00 a.m.
Objection Deadline: December 12, 2017
Reply Deadline: December 15, 2017 at 4:00 p.m.

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*Attorneys for Halletts Building 4 SPE LLC and
Halletts Building 5 SPE LLC*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
In re	:
	:
NAVILLUS TILE, INC. d/b/a	:
NAVILLUS CONTRACTING,	:
	:
Debtor.	:
-----X	

Chapter 11
Case No. 17-13162 (SHL)

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the annexed Declaration of Michael A. Pensabene, Esq., dated December 4, 2017, the Affidavit of Clifford Schuster, sworn to on December 4, 2017, and all the exhibits annexed thereto (collectively, "Motion"), Halletts Building 4 SPE LLC and Halletts Building 5 SPE LLC (collectively, "Landlord"), by and through their undersigned counsel, will move this Court before the Honorable Sean H. Lane, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, Room 701, New York, New York 10004, on December 19, 2017 at 10:00 a.m., or as soon thereafter as counsel may be heard, for the entry of an order:

- a. lifting and/or modifying the automatic stay pursuant to 11 U.S.C. §362(d) to permit to allow Landlord to timely enforce its rights pursuant to two surrender agreements with debtor Navillus Tile, Inc. d/b/a Navillus Contracting ("Debtor"), and to execute upon two pre-petition warrants of eviction against Debtor, with respect to, the properties described as (i) approximately 53,980 square feet of rentable area in the building located at 27-02 1st Street, Astoria, Queens, New York (Block 490, Lot 1) and (ii) the vacant land, approximately 52,610 square feet located at 27-50 First Street, Astoria, New York (Block 490, Lot 11); and
- b. granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Motion shall (i) be made in writing; (ii) conform to the Bankruptcy Rules and the Local Rules for the United States Bankruptcy Court for the Southern District of New York; (iii) set forth the basis for the objections and the specific grounds therefor; (iv) be filed with the Court with a copy to the chambers of the Honorable Sean H. Lane, together with proof of service thereof; and (v) be served in a manner so as to be received by counsel for Landlord, Rosenberg & Estis, P.C., 733 Third Avenue, New York, New York 10017, Attn: Michael A. Pensabene, Esq., on or before December 12, 2017.

Dated: New York, New York
December 4, 2017

ROSENBERG & ESTIS, P.C.

BY: 

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*Attorneys for Halletts Building 4 SPE LLC
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TO:

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d/b/a Navillus Contracting

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U.S. Trustee

United States Trustee

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